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Lisa Roberson

ELYRIA — An Ohio EPA inspector conducting a routine check for asbestos dust emissions at the former General Industries site found the property owner doing unauthorized work Friday.

Property owner John Peshek and members of his family were spotted Friday afternoon on the site, which has sat largely untouched since a July 3 fire ripped through the structure that once spanned two city blocks.

Elyria building officials stamped the entire site with a stop work order six days after the fire when they learned asbestos likely was sprinkled among the debris.

The stop work order has not been rescinded, said city Law Director Terry “Pete” Shilling, who hurried to the site at

the corner of Taylor and Olive streets.

"The city wants the whole thing cleaned up, but not until a proper plan can be put in place," he said. "Until then, the stop work order will not be lifted."

Peshek said he was at the site sorting through roughly 30 55-gallon drums left behind after the fire to determine which ones were empty and which ones were full.

A meeting scheduled for Tuesday with Peshek, the Ohio EPA and federal EPA prompted Peshek to go to the site Friday, he said.

"I wasn't doing anything illegal," he said. "I was just trying to get ready for a meeting I'm having with the U.S. EPA."

Jim Augustine, federal EPA spokesman, said the drums likely contain a hardened plastic or resin-type material, but it is unknown what is inside without testing. It is suspected that the material is a type of glue or adhesive that was used in Peshek's custom molding business.

As soon as word got out that Peshek was on the property, Shilling, Safety Service Director Chris Eichenlaub, Assistant Building Official Jerry Klein and representatives from both the Ohio and U.S. EPA quickly organized an impromptu meeting with Peshek to let him know he could not do any kind of work or debris removal on the site.

Two Elyria police officers also were called to the scene, but no one was arrested or charged.

"It's astonishing that 10 or 11 months later, it still looks like that," said Mike Settles, Ohio EPA spokesman. "We're in one of those situations where everyone wants to get the site cleaned up, but how it will happen is still to be determined."

Peshek characterized the entire situation as a "big misunderstanding."

"There was no confrontation," he said. "I guess someone saw me out there and thought I was removing some stuff. A bunch of people from the city showed up and said I couldn't be there, and I said, 'Fine, I'll leave.' "

The site, which looks like a heaping two-block stretch of bricks, debris and scrap metal encircled by a chain-link fence, has not been cleaned because Peshek has yet to come up with an approvable plan, EPA officials said.

"We are still not clear on what they are doing out there, but it's clear that we feel that asbestos is sprinkled throughout the site," Settles said. "Any work that happens there needs to have a 10-day advance notice to the Ohio EPA, so we can be there to monitor the cleanup process."

Settles said that while Peshek did not notify anyone of his plans to be on the site Friday, he has submitted informal plans and proposals to the Ohio EPA. However, what is needed is a detailed, formal action plan.

"Peshek said he has the ability to remove the scrap metal and bricks from the site, but we need something more before we can approve any kind of work," Settles said. "I think he figured out a long time ago the Ohio EPA's authority only extends so far and that's what has stalled this thing."

Settles said there is little the Ohio EPA can do to leverage Peshek to move faster.

An air quality inspector comes to the site frequently to check for visible emissions as the Ohio EPA can cite Peshek should such emissions occur.

The state's limited authority is the reason why the federal EPA was asked in September to intervene.

Augustine said that since then, Peshek has reiterated his willingness to clean up the site and contends he has the financial means to get it done.

The federal EPA is willing to give him some latitude to do the work.

However, unlike the Ohio EPA, Augustine said the federal EPA has the authority to step in with a clean-up plan of its own and could go after Peshek in court once the work is completed.

"This definitely needs to be cleaned up one way or another," he said.

Peshek said Friday he will do the work.

“I have always said I will clean it up, and that’s what I intend to do,” he said.

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